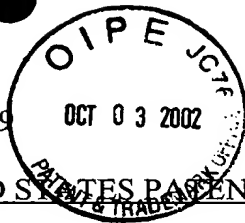


DOCKET NO.: 209284US99



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: : GROUP ART UNIT: 2811

ZHIYI YU ET AL :

SERIAL NO.: 09/842,734 : EXAMINER: HU, S.

FILED: APRIL 26, 2001 :

FOR: STRUCTURE AND METHOD FOR FABRICATING SEMICONDUCTOR
STRUCTURES AND DEVICES USING BINARY METAL OXIDE LAYERS

RESTRICTION RESPONSE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the Restriction Requirement dated September 3, 2002, Applicants elect
Group I, Claims 1-38.

REMARKS

The claims have been divided into two allegedly distinct groups. Applicant has
elected Group I, Claims 1-38. The Restriction Requirement is traversed.

The Office Letter characterizes Groups I and II as being related as "process of making
and product made." Referring to MPEP §806.05(f), the Office Letter takes the position that
the claimed product could be made by a process using bonding rather than epitaxy. While not
taking a position, and making no statement, with regard to the Examiner's comments,
Applicant submits that the statement in the Office Letter does not meet the requirements set
out in MPEP §806.05(f).

In this case the Office Letter does not indicate how or why the proposed alternative

#5
Election
J. M. Amell
10/10/02

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